

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

Criminal No. 1:22-cr-00050-GHD-DAS

CURT NICASIO

DEFENDANT

ORDER INDEFINITELY CONTINUING TRIAL DATE DUE TO ABSENCE OF
DEFENDANT

On April 29, 2022, the Defendant was indicted in this District on one Count of Conspiracy to Distribute Methamphetamine and one Count of Interstate Travel in Aid of a Racketeering Enterprise [1]. He made an Initial Appearance in the Southern District of Texas on May 17, 2022 [109-1] and was released on a unsecured appearance bond in the amount of \$50,000.00 [109-5, 6]. This Court then issued a Notice of Hearing on February 21, 2023, ordering the Defendant to appear for a Change of Plea Hearing in Oxford, Mississippi, at 2:30 p.m. on February 27, 2023 [330].

The Defendant failed to appear before this Court for his Change of Plea Hearing on February 27, 2023, and failed to notify the Court or his counsel of any extenuating circumstances preventing his appearance. The Court has issued a Warrant for the Defendant's arrest, revoked the Defendant's bond, and issued judgment on the bond against the Defendant personally in the amount of \$50,000 [351, 362].

Given the Defendant's continued absence, the Court hereby orders that the trial date in this matter is INDEFINITELY CONTINUED; the Court FURTHER ORDERS that the delay from this date until commencement of trial shall be excluded from all computations relative to the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(3)(A) due to the absence or unavailability of the Defendant because the Defendant's whereabouts are unknown and he is attempting to avoid apprehension or prosecution or his whereabouts cannot be determined by due diligence. See 18

U.S.C. § 3161(h)(3)(B).

SO ORDERED, this, the ^{For}5 day of September, 2023.



SENIOR U.S. DISTRICT JUDGE